

SERFF Tracking Number:	MRKB-125487853	State:	Arkansas
Filing Company:	Markel American Insurance Company	State Tracking Number:	0
Company Tracking Number:	0802FF010		
TOI:	17.0 Other Liability - Claims Made/Occurrence	Sub-TOI:	17.0010 Employment Practices Liability
Product Name:	Terrorism-EPLI		
Project Name/Number:	Terrorism Reauthorization Act of 2007/0802FF010		

Filing at a Glance

Company: Markel American Insurance Company

Product Name: Terrorism-EPLI

SERFF Tr Num: MRKB-125487853 State: Arkansas

TOI: 17.0 Other Liability - Claims

SERFF Status: Closed

State Tr Num: 0

Made/Occurrence

Sub-TOI: 17.0010 Employment Practices Liability

Co Tr Num: 0802FF010

State Status: Fees verified and received

Filing Type: Form

Co Status: Sent to DOI for File and Use

Reviewer(s): Betty Montesi, Edith Roberts, Brittany Yielding

Author: Wilfredo Mejia

Disposition Date: 02/20/2008

Date Submitted: 02/18/2008

Disposition Status: Accepted For Informational Purposes

Effective Date Requested (New): On Approval

Effective Date (New):

Effective Date Requested (Renewal): On Approval

Effective Date (Renewal):

State Filing Description:

no fee needed

General Information

Project Name: Terrorism Reauthorization Act of 2007

Status of Filing in Domicile: Pending

Project Number: 0802FF010

Domicile Status Comments:

Reference Organization: N/A

Reference Number: N/A

Reference Title: N/A

Advisory Org. Circular: N/A

Filing Status Changed: 02/20/2008

State Status Changed: 02/20/2008

Deemer Date:

Corresponding Filing Tracking Number:

Filing Description:

Revised disclosure forms to comply with the provisions of the 2007 TRIA Reauthorization Act

Company and Contact

SERFF Tracking Number: MRKB-125487853 State: Arkansas
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Filing Contact Information

Wilfredo Mejia, Regulatory Compliance wmejia@markelcorp.com
Specialist
4600 Cox Road (800) 431-1270 [Phone]
Glen Allen, VA 23060 (804) 527-7900[FAX]

Filing Company Information

Markel American Insurance Company CoCode: 28932 State of Domicile: Virginia
4600 Cox Road Group Code: 785 Company Type: Commercial
Property & Casualty
Glen Allen, VA 23060 Group Name: State ID Number:
(800) 431-1270 ext. [Phone] FEIN Number: 54-1398877

Filing Fees

Fee Required? Yes
Fee Amount: \$25.00
Retaliatory? No
Fee Explanation: Flat fee
Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
Markel American Insurance Company	\$0.00	02/18/2008	

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Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Accepted For Edith Roberts Informational Purposes		02/20/2008	02/20/2008

SERFF Tracking Number: *MRKB-125487853* *State:* *Arkansas*
Filing Company: *Markel American Insurance Company* *State Tracking Number:* *0*
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TOI: *17.0 Other Liability - Claims Made/Occurrence* *Sub-TOI:* *17.0010 Employment Practices Liability*
Product Name: *Terrorism-EPLI*
Project Name/Number: *Terrorism Reauthorization Act of 2007/0802FF010*

Disposition

Disposition Date: 02/20/2008

Effective Date (New):

Effective Date (Renewal):

Status: Accepted For Informational Purposes

Comment:

Rate data does NOT apply to filing.

SERFF Tracking Number: MRKB-125487853 State: Arkansas

Filing Company: Markel American Insurance Company State Tracking Number: 0

Company Tracking Number: 0802FF010

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0010 Employment Practices Liability

Product Name: Terrorism-EPLI

Project Name/Number: Terrorism Reauthorization Act of 2007/0802FF010

Item Type	Item Name	Item Status	Public Access
Supporting Document	Uniform Transmittal Document-Property & Casualty	Accepted for Informational Purposes	Yes
Supporting Document	Expedited Filing Transmittal Document	Accepted for Informational Purposes	Yes
Supporting Document	Cover Letter	Accepted for Informational Purposes	Yes
Supporting Document	Filing Memorandum	Accepted for Informational Purposes	Yes
Form	Policyholder Disclosure Notice of Terrorism Insurance Coverage	Accepted for Informational Purposes	Yes
Form	Disclosure Notice of Terrorism Insurance Coverage and Election Form	Accepted for Informational Purposes	Yes
Form	Certified Acts of Terrorism Endorsement	Accepted for Informational Purposes	Yes
Form	Certified Acts of Terrorism Exclusion	Accepted for Informational Purposes	Yes

SERFF Tracking Number: MRKB-125487853 State: Arkansas

Filing Company: Markel American Insurance Company State Tracking Number: 0

Company Tracking Number: 0802FF010

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0010 Employment Practices Liability

Product Name: Terrorism-EPLI

Project Name/Number: Terrorism Reauthorization Act of 2007/0802FF010

Form Schedule

Review Status	Form Name	Form #	Edition Date	Form Type Action	Action Specific Data	Readability	Attachment
Accepted for Information of Terrorism al Purposes	Policyholder Disclosure Notice 03 Insurance Coverage	ZZ-50000-	01/08	Disclosure/ Replaced Notice	Replaced Form #:0.00 Previous Filing #:		ZZ-50000-03.pdf
Accepted for Information Insurance al Purposes	Disclosure Notice of Terrorism Coverage and Election Form	ZZ-50001-	01/08 03	Disclosure/ Replaced Notice	Replaced Form #:0.00 Previous Filing #:		ZZ-50001-03.pdf
Accepted for Information Endorsement al Purposes	Certified Acts of Terrorism	ZZ-42001-	01/08 03	Endorsement/Amendment/Conditions	Replaced Form #:0.00 Previous Filing #:		ZZ-42001-03.pdf
Accepted for Information Exclusion al Purposes	Certified Acts of Terrorism	ZZ-44003-	01/08 03	Endorsement/Amendment/Conditions	Replaced Form #:0.00 Previous Filing #:		ZZ-44003-03.pdf

POLICYHOLDER DISCLOSURE NOTICE OF TERRORISM INSURANCE COVERAGE

RE: Policy Number:

Insured:

Insurer:

Risk ID. No.:

You are hereby notified that under the Terrorism Risk Insurance Act as amended in 2007 the definition of terrorism has changed. *As defined in Section 102(1) of the Act.* The term “act of terrorism” means any act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State, and the Attorney General of the United States—to be an act of terrorism; to be a violent act or an act that is dangerous to human life, property, or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of an air carrier or vessel or the premises of a United States mission; and to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

Under the Act, any losses resulting from certified acts of terrorism may be partially reimbursed by the United States Government under a formula established by the Terrorism Risk Insurance Act as amended. However, your policy may contain other exclusions which might affect your coverage, such as an exclusion for nuclear events. The Act requires «38» to also notify you that Terrorism Coverage required to be offered by the Act for losses caused by certified acts of terrorism is partially reimbursed by the United States Government under a formula established by federal law. Under this formula, the United States Government generally pays 85% of covered terrorism losses exceeding the statutorily established deductible paid by the insurance company providing the coverage. The premium charged for this terrorism coverage is provided below and does not include any charges for the portion of loss covered by the federal government under the Act.

The Terrorism Risk Insurance Act as amended, contains a \$100 billion cap that limits United States Government reimbursement as well as insurers’ liability for losses resulting from certified acts of terrorism when the amount of such losses exceeds \$100 billion in any one calendar year. If the aggregate insured losses for all insurers exceed \$100 billion, your coverage may be reduced.

Nothing in this notice affects or modifies your coverage except and only to the extent specifically required by the Act. You should also know that under federal law you are NOT required to purchase terrorism coverage.

When the above captioned policy was quoted, you were offered this Terrorism Coverage for a premium equal to a «219» surcharge of the total policy premium. You were required to elect or decline purchase of this Terrorism Coverage by completing and submitting a Disclosure Notice of Terrorism Insurance Coverage and Election Form (form number ZZ-50001-03). If you elected to purchase this insurance coverage, the endorsement titled “Certified Acts of Terrorism Endorsement” is attached to your policy, and your policy premium includes a «219» surcharge. If you elected not to purchase this insurance coverage, the endorsement titled “Certified Acts of Terrorism Exclusion” is attached to your policy, and your policy premium does not include this surcharge.



Ten Parkway North, Deerfield, IL 60015
(847) 572-6000 Fax (847) 572-6137
Underwriting Manager

- o DEERFIELD INSURANCE COMPANY
- o EVANSTON INSURANCE COMPANY
- o ESSEX INSURANCE COMPANY
- o MARKEL AMERICAN INSURANCE COMPANY
- o MARKEL INSURANCE COMPANY

DISCLOSURE NOTICE OF TERRORISM INSURANCE COVERAGE AND ELECTION FORM

RE: «358» «359»
Risk ID. No.: «357»

You are hereby notified that under the Terrorism Risk Insurance Act as amended, that you now have a right to purchase insurance coverage for losses arising out of acts of terrorism, *as defined in Section 102(1) of the Act*. The term "act of terrorism" means any act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State, and the Attorney General of the United States—to be an act of terrorism; to be a violent act or an act that is dangerous to human life, property, or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of an air carrier or vessel or the premises of a United States mission; and to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

You should know that where coverage is provided by this policy for losses caused by certified acts of terrorism, such losses may be partially reimbursed by the United States under a formula established by federal law. However, your policy may contain other exclusions which might affect your coverage, such as an exclusion for nuclear events. Under this formula, the United States generally reimburses 85% of covered terrorism losses exceeding the statutorily established deductible paid by the insurance company providing the coverage. The premium charged for this coverage is provided below and does not include any charges for the portion of loss covered by the federal government under the Act.

You should also know that the Terrorism Risk Insurance Act, as amended contains a \$100 billion cap that limits United States Government reimbursement as well as insurers' liability for losses resulting from certified acts of terrorism when the amount of such losses in any one calendar year exceeds \$100 billion. If the aggregate insured losses for all insurers exceed \$100 billion, your coverage may be reduced.

SELECTION OR REJECTION OF TERRORISM INSURANCE COVERAGE

PLEASE ENTER "X" IN ONE OF THE BOXES BELOW AND SIGN AND DATE WHERE INDICATED BELOW.

Alaska, Florida, Georgia and Oklahoma Applicants: Please be advised that in the event a policy is purchased, the policy premium will include a 1% surcharge for Terrorism Coverage unless you elect to decline Terrorism Coverage. You need to enter an "X" below if you wish to decline Terrorism Coverage.

	I hereby elect to purchase the Terrorism Coverage required to be offered under the Act. I understand that my policy premium will include a 3% surcharge for this coverage.
	I decline to purchase the Terrorism Coverage required to be offered under the Act. I understand that my policy will be endorsed to exclude the Terrorism Coverage required to be offered under the Act.

Name of Applicant

Title (Officer, partner, etc.)

Signature of Applicant

Date

SIGNING this Disclosure Notice does not bind the Applicant or the Insurer or the Underwriting Manager to complete the insurance.



MARKEL AMERICAN INSURANCE COMPANY

Endorsement

Named Insured:

Attached to and forming
a part of Policy No.:

Endorsement No.:

Effective Date of Endorsement:

CERTIFIED ACTS OF TERRORISM ENDORSEMENT

In consideration of the premium paid, it is hereby understood and agreed that, with respect to any claim otherwise covered hereunder, this policy shall not exclude any claim based upon, arising out of, or in any way involving any Certified Act of Terrorism.

Certified Act of Terrorism means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act. The federal Terrorism Risk Insurance Act sets forth the following criteria for a Certified Act of Terrorism:

1. The act resulted in insured losses in excess of \$5 million in the aggregate attributable to all types of insurance subject to the Terrorism Risk Insurance Act; and
2. The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

If aggregate insured losses attributable to terrorist acts certified under the federal Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31) and the Company has met the Company's deductible under the Terrorism Risk Insurance Act, the Company shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion, and in such cases insured losses up to that amount are subject to pro rata allocation in accordance with the procedures established by the Secretary of Treasury.

All other provisions of the policy shall apply and remain unchanged.



MARKEL AMERICAN INSURANCE COMPANY

Endorsement

Named Insured:

Attached to and forming
a part of Policy No.:

Endorsement No.:

Effective Date of Endorsement:

CERTIFIED ACTS OF TERRORISM EXCLUSION

In consideration of the premium paid, it is hereby understood and agreed that this policy does not apply to any claim or portion thereof based upon, arising out of, or in any way involving any Certified Act of Terrorism.

Certified Act of Terrorism means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance of Act. The federal Terrorism Risk Insurance of Act sets forth the following criteria for a Certified Act of Terrorism:

1. The act resulted in insured losses in excess of \$5 million in the aggregate attributable to all types of insurance subject to the Terrorism Risk Insurance Act; and
2. The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

All other provisions of the policy shall apply and remain unchanged.

SPECIMEN

(Authorized Representative)

<i>SERFF Tracking Number:</i>	<i>MRKB-125487853</i>	<i>State:</i>	<i>Arkansas</i>
<i>Filing Company:</i>	<i>Markel American Insurance Company</i>	<i>State Tracking Number:</i>	<i>0</i>
<i>Company Tracking Number:</i>	<i>0802FF010</i>		
<i>TOI:</i>	<i>17.0 Other Liability - Claims Made/Occurrence</i>	<i>Sub-TOI:</i>	<i>17.0010 Employment Practices Liability</i>
<i>Product Name:</i>	<i>Terrorism-EPLI</i>		
<i>Project Name/Number:</i>	<i>Terrorism Reauthorization Act of 2007/0802FF010</i>		

Rate Information

Rate data does NOT apply to filing.

SERFF Tracking Number: MRKB-125487853 State: Arkansas
Filing Company: Markel American Insurance Company State Tracking Number: 0
Company Tracking Number: 0802FF010
TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0010 Employment Practices Liability
Product Name: Terrorism-EPLI
Project Name/Number: Terrorism Reauthorization Act of 2007/0802FF010

Supporting Document Schedules

Review Status:
Bypassed -Name: Uniform Transmittal Document-
Property & Casualty Accepted for Informational 02/20/2008
Purposes
Bypass Reason: Used EXpedited Filing Transmittal Document instead
Comments:

Review Status:
Satisfied -Name: Expedited Filing Transmittal
Document Accepted for Informational 02/20/2008
Purposes
Comments:
Attachment:
Expedited Filing Transmittal-EPLI.pdf

Review Status:
Satisfied -Name: Cover Letter Accepted for Informational 02/20/2008
Purposes
Comments:
Attachment:
EP Letter.pdf

Review Status:
Satisfied -Name: Filing Memorandum Accepted for Informational 02/20/2008
Purposes
Comments:
Attachment:
EP Memo.pdf

**EXPEDITED FILING TRANSMITTAL DOCUMENT
FOR TERRORISM RISK INSURANCE FORMS AND PRICING**

This page applies to the following state(s) [ARKANSAS](#)

Indicate Type of Filing
<input checked="" type="checkbox"/> Filing Related to <i>Certified Losses</i>
Filing Related to <i>Non-Certified Losses</i>
Filing Applicable to Both Certified and Non-Certified Losses

Department Use only

Company Name(s)	Domicile	NAIC #	FEIN #
Markel American Insurance Company	Virginia	785-28932	54-1398877

Contact Info for Filer

Name and address of Filer(s)	Telephone #	FAX #	e-mail
Meiji Mejia 4600 Cox Road Glen Allen VA 23060	1-800-431-1270 ext 7941	804-527-7900	wmejia@markelcorp.com

Filing information

Line of Insurance (see attachment)	17.0010 - Employment Practices Liability
Company Program Title (Marketing title) (if applicable)	Employment Practices Liability Insurance
Filing Type ** see note below	Form
This application is used with:	
Effective Date Requested	On approval
Filing date	02-18-2008
Company Tracking Number	0802FF010
Date filing approved in domiciliary state, if applicable	Pending


	<u>Component/Form Name</u> <u>/Description/Synopsis</u>	Form # or Rate Page Include edition date	Replacement Or withdrawn?	If replacement, give form # or rate page(s) it replaces	Previous State Filing Number, if required by state
01	Policyholder Disclosure Notice of Terrorism Insurance Coverage	ZZ-50000-03 01/08	[X] Replacement [] Withdrawn [] Neither	ZZ-50000-02 04/06	
02	Disclosure Notice of Terrorism Insurance Coverage and Election Form	ZZ-50001-02 01/08	[X] Replacement [] Withdrawn [] Neither	ZZ-50001-02 04/06	
03	Certified Acts of Terrorism Endorsement	ZZ-42001-03 01/08	[X] Replacement [] Withdrawn [] Neither	ZZ-42001-02	
04	Certified Acts of Terrorism Exclusion	ZZ-44003-03 01/08	[X] Replacement [] Withdrawn [] Neither	ZZ-44003-02	

To be complete, a filing must include the following:

- A completed Expedited Filing Transmittal Document for each insurer or advisory organization.
- One copy of each endorsement, disclosure form or other policy language, unless the insurer has given an advisory organization authorization to file them on its behalf.
- A copy of the rates, rating systems and supporting documentation.

The insurer(s) submitting this filing certifies that it:

- ☐ Is in compliance with the terms of the Terrorism Risk Insurance Act, as amended, and the laws of this state; and
- ☐ Is in compliance with the requirements of the bulletin containing the voluntary expedited filing procedures.


Signature

Deidre Balbuena
Print Name:

Vice President
Title:



MARKEL CORPORATION

4600 Cox Road Glen Allen, Virginia 23060-9817 P.O. Box 3870, Glen Allen, Virginia 23058-3870
(804) 527-2700 (800) 431-1270 www.markelinsurance.com

February 18, 2008

Honorable Julie Benafield Bowman
Commissioner of Insurance
Arkansas Insurance Department
1200 West Third Street
Little Rock, Arkansas 72201-1904

Re: Markel American Insurance Company 785-28932
Employment Practices Liability Insurance
Company File # 0802FF010

Honorable Bowman:

On December 26, 2007, President Bush signed into law the Terrorism Risk Insurance Program Reauthorization Act of 2007, which extends TRIA for an additional seven years. In order to comply with the requirements of this Act, Markel Insurance American Company wishes to file the enclosed forms.

We have also enclosed the disclosure notice (for information purposes) that we will use to notify our current and future policyholders.

We wish to utilize this filing on all policies as soon as possible in order to comply with the requirements of the Act. Should you have any questions, or require additional information regarding this filing, please contact Meiji Mejia at 1-800-431-1270 extension 7941, by mail at the above address or by e-mail at wmejia@markelcorp.com.

Sincerely,

Deidre I. Balbuena
Associate Vice President
Products and Regulatory Services

Markel American Insurance Company

Filing Memorandum

We have enclosed the following forms for your review:

- **ZZ-50000-03 01/08** - *Policyholder Disclosure Notice of Terrorism Insurance Coverage*: This form replaces ZZ-50000-02 04/06 and will be attached to all policies to comply with the section of the Terrorism Risk Insurance Act that requires companies to disclose the premium charged for terrorism on a separate line item in the policy at the time of offer, purchase and renewal of the policy. This form has been revised to:
 - added text stating that as amended on 2007 the definition of terrorism has changed;
 - delete text requiring that individual(s) are acting on behalf of any foreign person or foreign interest;
 - delete reference to the year of the Act, the effective date of the Act and the extension of TRIA on December 22, 2005;
 - amend reference to the current 85% federal share of covered terrorism losses; and
 - added a paragraph on the TRIA \$100 billion cap.
- **ZZ-50001-03 01/08** - *Disclosure Notice of Terrorism Insurance Coverage and Election Form*: This disclosure notice replaces ZZ-50001-02 04/06 and will be attached to all applications to notify our current and future policyholders of their options as regards to the purchase or declination of coverage for acts of terrorism. This form has been revised to:
 - delete reference to the effective date of the Act and the extension of TRIA on December 22, 2005;
 - delete text requiring that individual(s) are acting of behalf of any foreign person or foreign interest
 - amend reference to the current 85% federal share of covered terrorism losses; and
 - add text stating that the policy may contain other exclusions which could effective coverage, such as an exclusion of nuclear events; and
 - added a paragraph on the TRIA \$100 billion cap limit to United States Government reimbursement.
- **ZZ-42001-03 01-08** - *Certified Acts of Terrorism Endorsement*: This endorsement replaces ZZ-42001-02. This endorsement is optional and will be used to amend the policy to provide that Claims which are based upon, or arising out of, or in any way involving any Certified Act of Terrorism shall not be excluded from coverage. This endorsement clarifies intent and neither broadens nor restricts coverage. This endorsement has been revised to:
 - delete reference to the effective date of the Act; and
 - added a paragraph on the TRIA \$100 billion cap.
- **ZZ-44003-03 01-08** - *Certified Acts of Terrorism Exclusion*: This endorsement replaces ZZ-44003-02. This is an optional endorsement and will be used to amend the policy to exclude coverage for any Claim or portion of any Claim which is based upon, or arising out of, or in any way involving any Certified Act of Terrorism. This endorsement clarifies intent and restricts coverage. This endorsement has been revised to:
 - delete reference to the effective date of the Act and Pub.L.; and
 - added text to clarify that losses in excess of \$5 million are "in the aggregate attributable to all types of insurance subject to" TRIA.